

SEP. 7.2004 9:08AM SIEMENS
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NO. 673 P. 1/8
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE CENTRAL FAX CENTER

SEP 07 2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/915,033	25 July 2001	Brian MORRISON	2000P78480US1
		EXAMINER	
		Edwin HOLLOWAY III	
		ART UNIT	PAPER NUMBER
		2635	

via FAX to +1-703-872-9306
Commissioner of Patents
P.O. Box 1450
Mailstop (none)
Alexandria VA 22313-1450

Submission of Duplicate Replies Where the Original Has Not Apparently Been Received by the U.S. Patent Office, Under the Extraordinary Procedures Set Forth at <<http://www.USPTO.gov/web/Offices/PAC/DAPP/OPLA/PreOGNotice/MailDelays.htm>> and Later Published In the Official Gazette on 15th January 2002

CERTIFICATE OF FAXING UNDER 37 CFR 1.8

The undersigned certifies that all pages of this document and its identified attachments were sent to the United States Patent Office via FAX in full accordance with the governing provisions of 37 CFR 1.8 for such methods of delivery.

by:

Laura Slenzak

on (date) 01 SEP 2004

07 SEP 04

It has come to the attention of applicant(s) that the Office apparently has not received the response originally sent to the Office on 1st March 2004.

In accordance with the extraordinary provisions set forth in the above-noted notice of the Commissioner, Applicant(s) submit duplicate copies of the response where those duplicate copies include clear evidence of their having originally been sent in the normal course, in a timely manner and with payment of all relevant fees and surcharges due at that time. Applicant(s) further aver that the response was in fact sent to the Office in the manner stated in those papers' relevant certificates of mailing.

In light of these circumstances, Applicants respectfully request that the attached duplicate papers (total of 5 pages of duplicates) be considered to have themselves been timely filed.

Regards,

Laura M. Slenzak, Reg. No. 35,363
Attorney for Applicant(s)
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fax +1-248-209-4050
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PLEASE DIRECT ALL WRITTEN
CORRESPONDENCE TO:
Customer No. 024500
Siemens Corporation
170 Wood Avenue South
Iselin, NJ 08830

* RESENDING * 07-SEP-04

SEP. 7.2004 9:08AM SIEMENS

NO.673 P.2/9

03/01/2004 MON 14:59 FAX 12489888363

Carlson, Gaskey & Olds

001

*** TX REPORT ***

TRANSMISSION OK

JOB NO. 4311
DESTINATION ADDRESS 17038729306
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DESTINATION ID
ST. TIME 03/01 14:58
USAGE T 00'53
PGS. 5
RESULT OK

60,426-204;2000P07B48US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Morrison
Serial No. 09/915,033
Examiner: Holloway, Edwin C., III
Group Art Unit: 2635
Filed: 7/25/01
Title: Remote Entry Transmitter With Transmission Identification Codes

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the office action of 17 December 2003, please amend the above-identified application as follows:

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NO. 673 P. 3/9

SEP 07 2004

60,426-204; 2000P07848US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Morrison

Serial No. 09/915,033

Examiner: Holloway, Edwin C., III

Group Art Unit: 2635

Filed: 7/25/01

Title: Remote Entry Transmitter With Transmission Identification Codes

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the office action of 17 December 2003, please amend the above-identified application as follows:

60,426-204; 2000P07848US01

CLAIMS

1. (Currently Amended) A method of assigning an identification code to a remote entry transmitter comprising the steps of:

- 1) providing a number which varies by the time a code is assigned relative to other codes, and ensuring that the codes are non-sequential for codes assigned sequentially, said code also being indicative of a date and time associated with the assignment of said code; and
- 2) storing said code in a remote entry transmitter as a remote entry transmitter identification code.

2. (Currently Amended) A method as set forth in Claim 1, wherein said code is determined by incorporating the date and time that the code is set, into the code itself.

3. (Original) A method as set forth in Claim 2, wherein the said code also incorporates information with regard to the particular assembly line.

4. (Original) A method as set forth in Claim 1, wherein said code is identified by initially sequentially incrementing a counter, and then modifying the counter number with another operation such that the final number is no longer sequential.

60,426-204; 2000P07848US01

5. (Original) A method as set forth in Claim 4, wherein the counter numbers are provided in an EXCLUSIVE OR operation with a bit pattern such that the final code output is non-sequential.

6. (Currently Amended) A remote entry transmitter comprising:
a transmitter body having a switch for requesting a vehicle component to perform an operation; and

a transmitter for transmitting a code, said code being a transmitter identification code stored in said remote entry transmitter and incorporating information which is both non-sequential, and yet which varies in order of the time the code was determined, said code carrying information associated with the date and time that said code was assigned.

7. (New) A method as set forth in claim 1, wherein said remote entry transmitter is utilized as part of a remote access system for a vehicle door.

8. (New) A remote entry transmitter as set forth in claim 6, wherein said transmitter is utilized to transmit a code to a receiver on a vehicle to provide access to the doors on the vehicle.

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REMARKS

Applicant has now amended this application such that claims 1 and 6 now specifically require the date and time associated with the code be included in the code. A narrower version of this language was found in original claim 2. The examiner has rejected claim 2 over the Lambropoulos, et al. reference taken with Prosan, and Guerin. Lambropoulos, et al. simply discloses the known remote entry system for a vehicle. Prosan does not disclose any system that incorporates the time into the code. The Guerin does mention storing a date into a code, however, this is because the code is for a card that expires daily. The Lambropoulos, et al. reference does not expire daily, nor does the general type of system required by the claims (in particular new claims 7 and 8). The Guerin reference is a code that is utilized to access mail, and what must be re-authorized each day to have a new date. Simply, nothing in Guerin would suggest incorporating dates of expiration into the Lambropoulos reference.

For the reasons set forth above, the allowance of all claims is in order. An indication of such is solicited.

Respectfully submitted,



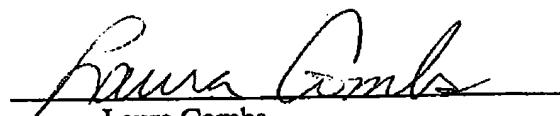
Theodore W. Olds, Reg. No. 33,080
CARLSON, GASKEY & OLDS
400 W. Maple Road, Ste. 350
Birmingham, MI 48009
(248) 988-8360

Dated: March , 2004

60,426-204; 2000P07848US01

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (703) 872-9306, on March 1, 2004.


Laura Combs

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,033	07/25/2001	Brian Morrison	60426-204-2000P07848US01	7029

24500 7590 08/24/2004

SIEMENS CORPORATION
 INTELLECTUAL PROPERTY LAW DEPARTMENT
 170 WOOD AVENUE SOUTH

ISELIN, NJ 08830

INTELLECTUAL PROPERTY

REC'D. 8-27-04

IPD 2000P7848US01

DUE DATE 1 year time limit

Please find below and/or attached an Office communication concerning this application or proceeding.

EXAMINER
HOLLOWAY III, EDWIN C

ART UNIT	PAPER NUMBER
2635	

AUG 27 2004

DATE MAILED: 08/24/2004

INTELLECTUAL PROPERTY
DEPARTMENT

RECEIVED
 Siemens Corporation
 SEP 01 2004
 Intellectual Property
 Auburn Hills

Notice of Abandonment	Application No.	Applicant(s)	
	09/915,033	MORRISON ET AL.	
	Examiner	Art Unit	
	Edwin C. Holloway, III	2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 12-17-03.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. The reason(s) below:

Edwin C. Holloway, III
Primary Examiner
Art Unit: 2635

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.